



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

Hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: May 12, 2005 Name: Peter Brunovskis, Reg. No. 52,441 Signature: *Peter Brunovskis*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Faulks et al.

Appln. No.: 09/849,935

Filed: May 4, 2001

For: DISPENSER GASKET AND  
TENSIONER SYSTEM

Attorney Docket No: 659/794 (14676.13)

Examiner: E. Marcelo

Art Unit: 3654

REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT

Mail Stop Patent Ext.  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with Applicant's duty of disclosure in patent term extension proceedings under 37 C.F.R. 1.765, Applicants bring to the attention of the U.S. Patent and Trademark Office a possible error in the patent term adjustment calculated for the above-referenced patent accompanying the Notice of Allowance, mailed 2/14/05. Pursuant to 37 C.F.R. § 1.704(b), the period of adjustment should be reduced by the number of days, if any, beginning on the day after the date (the 3 month date) that is three months after the date of mailing or transmission of an Office communication notifying the applicant of a rejection, objection, etc., and ending on the date a corresponding reply was filed.

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In the present application, an office action was mailed on 7/10/01. The 3 month date was therefore 10/10/01. Even though Applicant's response received the benefit of filing on 10/10/01 for avoiding payment of late extension fees, the response was deemed to have been filed on 10/15/01, thereby incurring a 5 day patent term reduction according to 37 C.F.R. § 1.704(b). Presently, this 5 day patent term reduction does not appear to have been included in the calculation of the 133 day extension accompanying the Notice of Allowance, mailed 2/14/05.

Respectfully submitted,



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